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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/652,206 | 09/02/2003 | Hiroyuki Watanabe | 04329.3130 | 1708 |

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EXAMINER

ZEWDU, MELESS NMN

| ART UNIT | PAPER NUMBER |
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2617

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 02/06/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/652,206

Applicant(s)

WATANABE ET AL.

Examiner

Meless N. Zewdu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This action is the first on the merit of the instant application.
2. "Claims 1-20 are pending in this action.

Drawings

The drawings are objected to because the personal computer 30 mentioned in the specification (see page 9, line 1) is not shown in the figure/s. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

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informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Yeap et al. (Yeap) (US 6,961,762 B1).

As per claim.1: Yeap discloses a an electronic device 9(see fig. 2, element 123) having a communication function comprising:

means for setting predetermined information using a predetermined communication profile from a plurality communication profiles created based on setting information required for a communication used in a network (see col. 2, lines 3-10) , and performing communication connection according to the network setting (see col. 2, lines 3-14) and means for determining whether or not communication connection by the means for performing communication connection has been successfully established (see col. 2, lines 15-23), and selecting a communication profile optimal for a current

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network environment from the plurality of communication profiles when the connection has not been successfully established (see coil. 2, lines 24-34), wherein the means for performing communication connection establishes communication connection using the selected communication profile (see col. 2, lines 35-47).

As per claim 2: Yeap discloses an electronic device, further comprising:

means for detecting change in a network environment (see col. 1, line 66-col. 2, line 14);

detecting the change in the network environment detects a change in a network environment, acquiring setting information required for a communication used in the detected means for (see col. 2, lines 3-14), when the means for network environment and creating a communication profile based on the information (see col. 2, lines 3-23); and

means for managing communication profiles created the means for creating the communication profile, wherein the means for performing communication connection performs network setting using a communication profile managed by the means for managing communication profiles and establishes communication connection according to the setting (see col. 6, lines 15-42), and

means for diagnosing a communication profile determines whether or not communication connection by the means for performing communication connection has been successfully established (see col. 2, lines 15-34), and selects a communication profile optimal for a current network environment detected by the means for detecting the change in the network environment from the communication profiles

managed by the means for managing communication profiles when the connection has not been successfully established (see col. 1, line 66-col. 47).

As per claim 3: Yeap discloses an electronic device, further comprising a graphic user interface which designates whether selection of a communication profile used by the means for performing communication connection is performed manually or automatically (see col. 5, lines 38-55).

As per claim 4: Yeap discloses an electronic device, wherein the means for diagnosing the communication profile further comprises means for displaying a list of optimal communication profiles in an output manner and causing a user to select a communication profile from the list.(see fig. 1, element 124; fig. 6, element 635; col. 5, lines 38-55).

As per claim 5: Yeap discloses an electronic device, wherein the means for diagnosing the communication profile further comprises means for receiving a notification indicating that a normal communication cannot be secured from the means for performing communication connection (see col. 2, lines 3-23); and

means for comparing a detected by the means for current network environment detecting the change in the network environment and a network environment according currently-selected communication profile on a reception of the notification, and selecting an optimal communication profile used by the means for performing communication connection from the difference there between (see col. 2, lines 3-47; col. 6, lines 15-30).

As per claim 6: Yeap discloses an electronic device, wherein the means for diagnosing the communication profile further comprises a graphic user interface which compares a

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current network environment detected by the means for detecting the change in the network environment and a network environment according to a currently-selected communication profile (see col. 5, lines 38-55; col. 6, lines 15-30), and presents the difference there between to a user (see col. 5, lines 38-65).

As per claim 7: Yeap discloses an electronic device, wherein the means for diagnosing the communication profile further comprises changeover control means for enabling a wireless device when the means for detecting the change in the network environment detects a status where LAN cable is disconnected (see col. 1, line 50-col. 2, line 56), and disabling the wireless device when the means for detecting the change in the network environment detects a status where the LAN cable connected (see col. 2, lines 3-56).

Reconfiguration inherently includes disabling and enabling..

As per claim 8: Yeap discloses an electronic device, further comprising means for performing edition of a communication profile including addition, deletion, and modification of a communication profile managed by the means for managing communication profiles (see col. 5, lines 38-65). Note editing.

As per claim 9: Yeap discloses an electronic device, wherein the means for detecting the change in the network environment comprises means for notifying the means for diagnosing the communication profile of a status of a change in the network setting when a LAN cable is disconnected, or when the LAN cable is connected, or when a wireless network is disconnected, or when the wireless network detected (see col. 2, lines col. 2, line 3-col. 3, line 32; col. 6, lines 15-30), and

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the means for diagnosing the communication profile further comprises means for changing communication profile used by the means for performing communication connection when the means for detecting the change the network environment detects a status where a LAN cable disconnected or detects a status where the LAN cable connected, alternatively detects a status where a wireless network is disconnected or detects the wireless network (see col. 2, lines 3-47; col. 5, lines 38-65; col. 6, lines 15-42).

As per claim 10: Yeap discloses an electronic device, wherein the means for creating a communication profile further comprises means for acquiring at least one information on a status and setting of communication device, information on setting accompanying the communication device, information on system setting relating to the communication device as setting information required for a communication, and creating a communication profile based on the acquired information (see col. 2, lines 2-56; col. 5, lines 38-65; col. 6, lines 15-30)..

As per claim 11: Yeap discloses an electronic device, wherein the means for managing communication profiles further comprises means for denoting a name or unique icon designated by a user to a communication profile be managed, and storing and managing the same (see col. 2, lines 3,-56; col. 5, lines 38-65; col. 7, lines 12-23)..

As per claim 12: Yeap discloses an electronic device, wherein the means for creating a communication profile acquires at least any item information on a proxy

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server or start homepage which relates to the Internet, a DHCP, an IP address, a subnet mask, a default gateway, a DNS server, a WINS server which relates to TCP/IP as setting information required for communication, and creating a communication profile based on the acquired information (see col. 3, line 64-col. 4, line 14, col. 7, line 45-col. 8, line 14).

As per claim 13: the features of claim 13 are similar to the features of claim 1, except claim 13 is directed to a method comprising steps the apparatus of claim 1 should follow to perform its intended function. Since the apparatus of claim 1 is disclosed by the prior art of record and the method of claim 13 is required by the apparatus of claim 1, claim 13 is rejected on the same ground as claim 1.

As per claim 14: the features of claim 14 are similar to the features of claim 2. Hence, claim 14 is rejected on the same ground as claim 2.

As per claim 15: the features of claim 15 are similar to the features of claim 9. Hence, claim 15 is rejected on the same ground as claim 9.

As per claim 16: the features of claim 15 are similar to the features of claim 5. Hence, claim 16 is rejected on the same ground as claim 5.

As per claim 17: the features of claim 17 are similar to the features of claim 1, except claim 17 is directed to a computer readable medium for the apparatus of claim 1 so as to enable it to perform the steps of claim 13. Since the apparatus is shown to have performed the steps of claim 13, the computer readable medium of claim 17 must be an inherent feature to the prior art that discloses the apparatus.

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As per claim 18: the feature of claim 18 is similar to the feature of claim 10. Hence, claim 18 is rejected on the same ground as claim 10.

As per claim 19: the features of claim 19 are similar to the features of claim 9. Hence, claim 19 is rejected on the same ground as claim 9.

As per claim 20: the feature of claim 20 is similar to the feature of claim 5. Hence, claim 20 is rejected on the same ground as claim 5.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

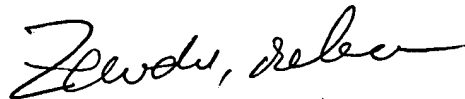
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Appiah Charles can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless Zewdu

A handwritten signature in cursive script, appearing to read 'Zewdu, Meless'.

Examiner

01 February 2007.